

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LARRY G. PHILPOT,

Plaintiff,

Index No.: 16-cv-26 (AT)(BCM)

v.

AUTHORS GUILD INC. and LAW STREET
MEDIA, LLC,

**DECLARATION OF RICHARD
M. GARBARINI IN SUPPORT
OF MOTION FOR
WITHDRAWAL AS COUNSEL**

Defendants.

I, Richard Garbarini, hereby declare the following under the penalty of perjury pursuant to 28 U.S.C. § 1746:

1. I represent the plaintiff in this matter and I am fully familiar with all facts presented here.

2. This matter was brought before this Court by service of a Complaint on January 5, 2016. Dkt. No. 1.

3. For weeks there has been a complete and absolute breakdown in communication between GF Law and Mr. Philpot. Dozens of e-mails, text messages, and phone calls have been ignored with one exception.

4. Philpot did respond to a text message in which he agreed and consented to the requested withdrawal.

5. On April 15, 2016, Plaintiff, by email demanded counsel withdraw from all cases.

6. It has become impossible to continue to represent the Plaintiff's interest.

7. I have read this affidavit and declare the forgoing is true and accurate.

Dated: New York, New York
April 16, 2016

Respectfully submitted,

GARBARINI FITZGERALD P.C.

By: Richard M. Garbarini

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I certify that on April 15, 2016, a true and correct copy of the foregoing NOTICE OF MOTION TO WITHDRAW, MEMORANDUM OF LAW, PROPOSED ORDER and DECLARATION OF RICHARD M. GARBARINI was served on all counsel via this Court's ECF system and on Plaintiff Larry G. Philpot by e-mail to larry@backstage.com and by mailing a true and correct copy to:

Larry G. Philpot
12527 Winding Creek Lane
Indianapolis, IN 46236

Dated: April 16, 2016

GARBARINI FITZGERALD P.C.

By: *Richard M. Garbarini*